

REMARKS**1. Drawing Correction:**

- 5 Figure 1 should be designated by a legend such as "Prior Art" because only that which is old is illustrated.

Response:

- 10 Fig.1 is duly amended and re-submitted. Acceptance of the proposed correction to Fig.1 is requested.

2. Claims 1-4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connor et al., (U.S. Patent No. 5,838,306) in view of Black (U.S. Patent No. 6,539,101):
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- Claim 1 has been amended to overcome the above rejection. Specifically, claim 1 now includes an additional limitation regarding the orientation of an input panel, stating that orientation be "substantially horizontal". The above term is included in order to further define the ergonomic considerations given to the claimed invention, as clearly supported by Figs.2 & 3.
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- Accordingly, claim 4 has been amended in order to further define the orientation and relative positioning of components on the top side of the housing of a pointing device of an alternative embodiment. Specifically, the arrangement of components is narrowed to reflect the considerations made toward realizing an ergonomically viable solution, by stating the relative positions of components situated on the top side of the housing to one another, as clearly supported by Fig.3.
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- Claim 6 has been amended to reflect the amendment to claim 1. Specifically, claim 6 now also includes an additional limitation regarding the orientation of an input panel, stating that orientation be "substantially horizontal". The above term is included in
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order to further define the ergonomic considerations given to the claimed invention, as clearly supported by Figs.2 & 3.

5 New claim 7 has been added in order to further define the orientation and relative positioning of components on the top side of the housing of a pointing device of a preferred embodiment. Specifically, the arrangement of components is narrowed to reflect the considerations made toward realizing an ergonomically viable solution, by stating the relative positions of components situated on the top side of the housing to one another, as clearly supported by Fig.2.

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No new matter is entered by the above claim amendments, which are supported by the relative positions and depicted orientation of the housing 52, the input panel 56 & the button 58 in Fig.2, and the displacement sensor device 104, the input panel 106 & the button 108 in Fig.3.

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Although O'Connor is directed towards a pointing device with a security feature, the security feature taught is that of a fingerprinting means of identification. As such, the ergonomic considerations differ significantly to those required regarding a device intended to utilize a handwriting input as means of identification. With the former, the location of input panels should, for the sake of user-friendliness, be located wherever finger and thumb tips would be intuitively placed. For the latter, the input panel needs to be positioned in such a way as to facilitate the application a writing implement. O'Connor does not teach the practical positioning of the input panel with respect to a handwriting input means of identification. Furthermore, moving O'Connor's thumb-printing means to a horizontal position runs counter to normal and safe hand positioning during mouse use.

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Black, though chiefly directed towards the use of smart pens, does teach the use of digitizing tablets as a handwriting input means of identification. However, in the range of devices cited by Black, the fact that these devices are adapted to be comfortably or practically written upon by a human hand using a writing implement is assumed and not taught.

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Therefore, the invention as recited in amended claims 1 and 6 is not obvious in view of the combination of O'Connor and Black.

- 5 The applicant also asserts that the combination of the cited arts would not result in an ergonomically workable pointing device adapted to handwriting input means of identification, without a further inventive step. The presence of this further inventive step is demonstrable in the claimed invention by the limitations of amended claims 4 & 7, as supported by Figs. 2 & 3.

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Claims 2-3 and 7 are either directly or indirectly dependent upon claims 1 or 6, hence it is assumed that if claim 1 or 6 is allowable then the respective dependent claims will also be allowable.

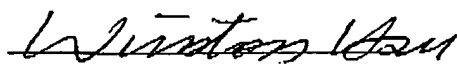
- 15 Reconsideration of amended claims 1-4, 6, and consideration of the newly added claim 7, is respectfully requested.

3. Title Alteration:

- 20 The title of the application has been slightly altered to bring it into line with standard office practice.

Sincerely,

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